

**GUPTA, BHAGWAN, D.,** )  
 )  
 **Plaintiff,** )  
 )  
 **-vs-** ) **Case No. CIV-18-317-M**  
 )  
 **OKLAHOMA CITY PUBLIC SCHOOLS,** )  
 )  
 **Defendant.** )

Defendant Independent School District No. 89 of Oklahoma County, Oklahoma, commonly referred to as Oklahoma City Public Schools ("District") states as follows for its Answer to Plaintiff's Complaint [Doc. No. 1].

2. As to Section B (“Set of Facts”), Defendant admits the facts outlined at page 1, lines 1-6, and 8, and generally admits that Plaintiff was a substitute teacher in Oklahoma City Public Schools, that there were complaints about Plaintiff’s conduct on September 16, 2015, and that Defendant chose to terminate Plaintiff’s substitute teacher services as a result of the September 16, 2015 allegations. Defendant denies the remainder of Section B.

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4. As to Count 4 (“Retaliation”), Defendant admits that Plaintiff worked approximately 13 years as a substitute teacher; and that Plaintiff was terminated on or about October 8, 2015.

5. Defendant denies the remainder of Count 4 (“Retaliation”).

6. Defendant generally denies each and every allegation in Plaintiff’s Complaint which is not specifically admitted above. Further, Defendant denies that it acted inappropriately; rather, Plaintiff was terminated for legitimate non-retaliatory, conduct-based reasons.

#### **AFFIRMATIVE DEFENSES**

1. Plaintiff’s Complaint fails to state a claim upon which relief may be granted.

2. All of Defendant’s employment decisions regarding Plaintiff were made in good faith and for legitimate, non-retaliatory reasons.

3. Plaintiff has failed to mitigate his damages.

Wherefore, Defendant requests that Plaintiff take nothing by his Complaint and that his claim be dismissed together with costs and attorney fees incurred.

S/Justin C. Cliburn  
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**Certificate of Service**

I hereby certify that on March 27, 2019, I electronically filed the attached document with the Clerk of the Court using the ECF system for filing and served the attached document by regular mail on the following, who are not registered participants of the ECF system: Bhagwan D. Gupta, 4736 Eastman Drive, Oklahoma City, OK 73122.

S/Justin C. Cliburn

Justin C. Cliburn